

**REQUEST UNDER  
37 C.F.R. §1.705(b) FOR  
RECONSIDERATION OF  
PATENT TERM  
ADJUSTMENT**

Address to:  
ISSUE FEE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

Attorney Docket	ZGNX-112
First Named Inventor	Schuster, Jeffrey
Application Number	10/596,207
Confirmation Number	3424
Filing Date	August 21, 2007
Group Art Unit	3763
Examiner Name	Campbell, Victoria

Title: "DEVICE FOR READYING A NEEDLE  
FREE INJECTOR FOR DELIVERY"

Sir:

Under 37 C.F.R. §1.705(b), Applicant hereby requests reconsideration of the patent term adjustment for the above referenced application.

Provided herewith is: (1) the fee of \$200.00 as set forth in 37 C.F.R. §1.18(e); and (2) a statement of the facts involved.

As set forth below, Applicants submit that the subject application is due 174 days of Patent Term Adjustment.

In the notice of allowance dated March 15, 2010, it was indicated that this patent is due 0 days of Patent Term Extension (PTE) under 35 USC 154(b). However, Applicants submit that this application qualifies for PTA, and not PTE, because it was filed after May 29, 2000.

Applicants submit that the subject application is entitled to PTA for USPTO delay under 37 C.F.R. §1.702(a)(1). Specifically, subject application is due 154 days of PTA under this heading: i.e., December 21, 2008 (14 months from filing/371 date) to March 24, 2009 (mailing of Restriction Requirement).

Applicants submit that the subject application is entitled to PTA for USPTO delay under 37 C.F.R. §1.702(a)(2). Specifically, the subject application is due 20 days of PTA under this

heading: i.e., from February 23, 2010 (4 months after Applicants reply of October 23, 2009) to March 15, 2001 (mailing of Notice of Allowance).

There are no circumstances constituting a failure by the Applicant to engage in reasonable efforts to conclude processing or examination of such application as set forth in 37 C.F.R. §1.704.

The subject patent is not subject to a terminal disclaimer.

In view of the above, Applicants submit that the subject application is due 174 days of PTA (154 + 20).

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number ZGNX-112.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP



Date: 4 May 2010

By: \_\_\_\_\_

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